CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

DEC 16 2005

| Civil Action No. 7:05cv00748 | FINAL ORDER | Plaintiff, | Plaintiff,

By: Jackson L. Kiser

Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) and all other pending motions are hereby **DENIED** as **MOOT**. This case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 6th day of December, 2005.

Defendants.

Senior United States District Judge